

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

EXCEPTIONAL INNOVATIONS, LLC,,	)	Civil No. 07-2041-LAB(LSP)
	)	
Plaintiff,	)	
	)	ORDER FOLLOWING EARLY NEUTRAL
v.	)	EVALUATION CONFERENCE AND
	)	SETTLEMENT CONFERENCES,
KONTRON AMERICA, INC.,	)	SETTING RULE 26 COMPLIANCE AND
	)	NOTICE OF CASE MANAGEMENT
Defendant.	)	CONFERENCE
_____	)	

On January 15, February 13 and February 19, 2008, the Court convened an Early Neutral Evaluation Conference (ENE) and Settlement Conferences in the above-entitled action. Appearing were Jeffrey Wertheimer on behalf of plaintiff and Norman Smith and Elizabeth Mitchell on behalf of defendants.

Settlement of the case could not be reached at the ENE and Settlement Conferences. Therefore, the Court discussed compliance with Federal Rule of Civil Procedure, Rule 26. Based thereon, the court issues the following orders:

1. Any objections made to initial disclosure pursuant to Federal Rule of Civil Procedure, Rule 26(a)(1)(A-D) are overruled, and the parties are ordered to proceed with the initial disclosure

1 process. Any further objections to initial disclosure will be  
2 resolved as required by Rule 26.

3 2. The Rule 26(f) conference shall be completed before  
4 March 14, 2008;

5 3. The date of initial disclosure pursuant to Rule  
6 26(a)(1)(A-D) shall occur before March 24, 2008;

7 4. A discovery plan shall be lodged with Magistrate Judge  
8 Papas on or before March 24, 2008; and,

9 5. A Case Management Conference, pursuant to Federal Rule  
10 of Civil Procedure 16(b) shall be held on April 1, 2008, at 8:30 AM,  
11 in the chambers of Magistrate Judge Leo S. Papas. Counsel may  
12 participate by telephone conference call. The Court will initiate  
13 the conference call.

14 Failure of any counsel or party to comply with this Order  
15 will result in the imposition of sanctions.

16 IT IS SO ORDERED.

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18 DATED: February 19, 2008

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21 Hon. Leo S. Papas  
22 U.S. Magistrate Judge  
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